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**From:** Kito, Melanie R CIV NAVFAC SW  
**Sent:** Friday, September 11, 2009 11:59 AM  
**To:** Gilkey, Douglas E CIV OASN (I&E) BRAC PMO West; Macchiarella, Thomas L CIV OASN (I&E) BRAC PMO West; Callaway, Rex CIV NAVFAC SW; Jensen, Dane C CIV NAVFAC SW  
**Subject:** FW: HPS Managers Mtg Tuesday, September 15, 1-5 pm  
**Attachments:** REV 1 ID\_Minutes\_HPS\_Managers\_Mtg\_060909.doc

Here are the minutes from the last managers meeting if you are interested to do any homework before the next one.

Melanie

-----Original Message-----

From: Merrifield, Campbell [mailto:Campbell.Merrifield@ttemi.com]  
Sent: Friday, September 11, 2009 11:44  
To: Kito, Melanie R CIV NAVFAC SW; Forman, Keith S CIV OASN (I&E) BRAC PMO West  
Subject: RE: HPS Managers Mtg Tuesday, September 15, 1-5 pm

Melanie,  
I agree, the action items were the same.

Can you forward to Thomas, Rex, Doug, et al, or would you rather I send it on?

And will you let Amy know I'm coming, or should I?

Campbell Merrifield | Environmental Scientist Tetra Tech EM Inc.  
1999 Harrison Street, Suite 500 | Oakland, CA 94612  
Direct: 510-302-6339 | Main: 510-302-6300 | Fax: 510-433-0830 [www.tetrattech.com](http://www.tetrattech.com) PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

-----Original Message-----

From: Kito, Melanie R CIV NAVFAC SW [mailto:melanie.kito@navy.mil]  
Sent: Friday, September 11, 2009 10:39 AM  
To: Merrifield, Campbell; Forman, Keith S CIV OASN (I&E) BRAC PMO West  
Subject: RE: HPS Managers Mtg Tuesday, September 15, 1-5 pm

I think the actions items are the same as what was in the agenda right? I guess it would not hurt to have a copy with us in case we have a disagreement from the last meeting.

Thanks

Melanie

-----Original Message-----

From: Merrifield, Campbell [mailto:Campbell.Merrifield@ttemi.com]  
Sent: Friday, September 11, 2009 10:35  
To: Kito, Melanie R CIV NAVFAC SW; Forman, Keith S CIV OASN (I&E) BRAC PMO West  
Subject: FW: HPS Managers Mtg Tuesday, September 15, 1-5 pm

So...I'm planning to be there to take minutes, and whatever else is necessary, let me know if you have questions/comments concerns, want to plan meeting points that sort of thing.

Do you need/want me to "re-send" the minutes from the last meeting to the NAVY team only as a reminder of what happened in June???

Campbell Merrifield | Environmental Scientist Tetra Tech EM Inc.  
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Direct: 510-302-6339 | Main: 510-302-6300 | Fax: 510-433-0830 [www.tetrattech.com](http://www.tetrattech.com) PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

-----Original Message-----

From: Amy Brownell [mailto:Amy.Brownell@sfdph.org]  
Sent: Friday, September 11, 2009 10:09 AM  
To: Ripperda.Mark@epamail.epa.gov; ersimon@waterboards.ca.gov; RSteenon@waterboards.ca.gov; RMIya@dtsc.ca.gov; Kloss.Sarah@epamail.epa.gov; keith.s.forman@navy.mil; melanie.kito@navy.mil; dane.c.jensen@navy.mil; Hall, Steve; Merrifield, Campbell  
Cc: Vandana.Kohli@cdph.ca.gov; larry.morgan@cdph.ca.gov  
Subject: Fw: HPS Managers Mtg Tuesday, September 15, 1-5 pm

Mark/Sarah, Ryan, Erich/Ross, Keith/Melanie/Dane/Steve/Campbell:

if possible - please forward a list of who will be attending the meeting to Vandana Kohli so she can give the list to the security guard

Vandana - if you don't hear from an organizations then just use the email list as the default. I know we won't have that many people - but I can guarantee we won't get more people than that email list :)

thanks,  
Amy Brownell, P.E.  
San Francisco Health Department  
1390 Market St., Suite 410  
San Francisco, CA 94102  
415-252-3967  
fax 415-252-3889  
[amy.brownell@sfdph.org](mailto:amy.brownell@sfdph.org)

----- Forwarded by Amy Brownell/DPH/SFGOV on 09/11/2009 10:03 AM -----

Amy  
Brownell/DPH/SFGO  
V To  
HPS Managers Mtgs  
09/11/2009 10:02 cc  
AM  
Subject  
HPS Managers Mtg Tuesday, September  
15, 1-5 pm

Please see the attached agenda for

Hunters Point Shipyard Managers Meeting  
September 15, 2009  
1 to 5 pm  
California Department of Public Health  
1616 Capitol Ave., Shasta Room  
Sacramento, CA

Parking on the corner of L and 16th St for \$10 - otherwise need quarters for street parking

Dial: (866)484-5341  
Passcode: 955112

please forward to anyone I may have missed

see you Tuesday

thanks,  
Amy Brownell, P.E.  
San Francisco Health Department  
1390 Market St., Suite 410  
San Francisco, CA 94102  
415-252-3967  
fax 415-252-3889  
amy.brownell@sfdph.org

[attachment "Agenda HPS Managers Mtg 091509.doc" deleted by Amy Brownell/DPH/SFGOV]

**HUNTERS POINT SHIPYARD MANAGERS MEETING  
NAVY BRAC PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE ROAD, SUITE 900, SAN DIEGO, CA**

**JUNE 9, 2009, 1 TO 3 P.M.**

These minutes summarize the meeting of the City of San Francisco and the Department of the Navy Hunters Point Shipyard (HPS) Managers, held on June 9, 2009, at the Navy Base Realignment and Closure (BRAC) Program Management Office (PMO) West in San Diego, California. Participants in the meeting included representatives from the Navy, the U.S. Environmental Protection Agency (EPA), the California Department of Toxic Substances Control (DTSC), the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), the California Department of Public Health (CDPH), the San Francisco Department of Public Health (SFPDH), and the City and County of San Francisco (CCSF). CCSF's developer, Lennar Corporation, also attended the meeting, along with the Navy's consultant, Tetra Tech EM Inc. (Tetra Tech). These minutes present the main topics, decisions, and action items agreed to at the meeting. A list of attendees is included as [Attachment A](#). The agenda for the meeting is attached as [Attachment B](#). A complete list of action items identified during the meeting is provided at the end of the meeting summary.

**I. Introductions, Meeting Guidelines, and Agenda Review**

Amy Brownell (SFPDH) began the meeting with introductions and a review of the agenda (see [Attachment B](#)). She asked if there were any items to add to the agenda. As there were no additions, Ms. Brownell moved on to the first agenda item.

**II. Radiological Issues**

▪ **STATUS OF NAVY/CDPH QA AND LABORATORY SAMPLES ISSUES**

Laurie Lowman (Navy Radiological Affairs Support Office [RASO]) reported that the Navy met with DTSC and CDPH since the March managers meeting to resolve the quality assurance (QA) and laboratory sample issues. CDPH issued a memorandum after the meeting. The Navy has prepared a final sampling and analysis plan based on the outcome of the discussions.

Ms. Lowman reported the issue is resolved. Ms. Lowman said that with resolution of these issues, a number of documents are being submitted to CDPH for concurrence.

■ **STATUS OF NAVY PARCEL B & G SEWER AND STORM DRAIN TRENCH SAMPLING FOR “STUBBORN” TRENCHES**

Ms. Lowman reported one of the four “stubborn” trenches in Parcel B will be backfilled on the date of the meeting (June 9) and that work on the trench is considered completed. A report will be provided to CDPH for concurrence. She reported that work on the “stubborn” trenches in Parcel G continues while the pickling tank removal is ongoing.

Michael Cohen (City of San Francisco) asked if delays at the “stubborn” trenches have impacted the schedules. Melanie Kito (Navy) said there have been some delays.

Ms. Lowman reported surveys of buildings identified as radiologically impacted are under way, and a number of buildings have been cleared. Ms. Brownell asked if Building 103 had been cleared. Ms. Lowman stated the building had been cleared, but was not in a condition to be made available for lease.

■ **IR7/18 AREA REQUIRING INSTITUTIONAL CONTROLS FOR RADIONUCLIDES – CITY REQUEST FOR FOST VS. FOSET**

Mr. Cohen said the City is requesting transfer of the portion of Parcel B that includes Installation Restoration (IR) Sites 7 and 18 by regular transfer instead of an early transfer. He cited numerous concerns in presenting conditions for early transfer of the whole parcel to the public, including the required maintenance of the cap, the ongoing groundwater monitoring, and the hot spot removals required in both Parcels B and G. Ms. Brownell said the City is prepared to provide a mechanism whereby IR Sites 7 and 18 will be held in an escrow account to allow the transfer to occur once the remedy is complete. Ms Brownell suggested the early transfer conveyance agreement (ETCA) should be considered as the mechanism that sets up the escrow conditions. Gordon Hart (Paul, Hastings, Janofsky & Walker) suggested an amendment to the conveyance agreement could be considered as the mechanism to ensure that transfer occurred. Doug Gilkey (Navy) said the Navy will transfer all of Parcel B at once and will not consider removing IR Sites 7 and 18 from the parcel for early transfer. He indicated the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process allows transfer to go forward once a remedy is in place and deemed protective. He asked to review the language the City is drafting for the agreement. He reminded the City that Parcel B will lead the way on resolution of the more difficult issues that are anticipated for parcels such as E-2 and the E shoreline. Mr. Gilkey expressed concern that a shift from an early transfer to a regular transfer would result in more effort to prepare additional documents.

There was discussion on removal of hot spots, and Mr. Cohen asked the Navy to consider retaining responsibility for removal of all the hot spots identified in

Parcel B, as opposed to transferring the responsibility to the City. Mr. Gilkey responded that the request would likely delay the schedule.

Mr. Cohen expressed concern about whether EPA, DTSC, and CDPH will concur that Parcel B is safe for early transfer, if IR Sites 7 and 18 are included with the early transfer. Ms. Brownell said the City needs to resolve radiological license exemption issues. Rex Callaway (Navy) said he is interested in reviewing the proposed escrow process and language, as well as the instructions to CDPH for the license exemption. He asked if the City has resolved integration of the license exemption and the escrow process with CDPH. Mr. Cohen said the City is continuing to work with DTSC and CDPH. Mr. Gilkey said progress is needed on the issue of the license exemption process with CDPH before early transfer can occur. Mr. Gilkey asked about the role CDPH would play after transfer.

▪ **NAVY STATUS OF BLDG 140 INTAKE CHANNEL –TIMING IN RELATION TO PARCEL B TRANSFER**

Ms. Lowman reported the building and “pit” had been cleaned and final screening surveys had been completed, so Building 140 would be eligible for transfer. She noted the samples collected at the discharge channel in sediment and water contained elevated levels of radium. She said as much removal and remediation of sediment as possible was being conducted. She noted the likely source of contamination was Dry Dock 3, an area used historically for decontamination. She said the team is working to address the issues and determine if the Dry Dock is a continuing source of contamination in the discharge channel. She said the sediments near the discharge channel are naturally shifting, which make it dangerous for divers, so no samples have been collected. She said the goal is to clean the channels and then grout or fill the pipes with concrete.

Mr. Gilkey said the goal is to achieve free release from CDPH of Building 140 and associated channels. He noted the building is eligible for listing on the National Register of Historic Places, which has been a challenge for remedial efforts. He reminded the group that, in the past, the possibility of a vertical easement had been discussed for the discharge pipes that are 60 feet below the surface of San Francisco Bay. Elaine Warren (City of San Francisco) said there were significant concerns with the proposal and it was not likely to be an option. Mr. Cohen said the team needs to continue to stay abreast of the issues and work through any problems. Ms. Brownell added a reminder that any legal surveys require a long lead time, so advance notice on the path forward and survey targets for the Parcel B transfer would be appreciated.

### **III. Schedule Update**

Ms. Kito presented a summary schedule for the upcoming documents (See [Attachment C](#)), showing both CERCLA and transfer documents with current dates for each parcel. The schedules were discussed, along with priorities and issues with schedules. The City requested the schedule for Utility Corridor 3 (UC-3) be aligned with the other two utility corridor (UC-1 and UC-2) schedules. The Navy pointed out the parcel is still only at the feasibility study (FS) stage in the CERCLA process and would prefer to delay until the proposed plan is prepared. The City restated the desire to include UC-3 with UC-1 and UC-2. The Navy responded other scheduling issues are affecting UC-3. The City also requested to discuss the transfer of the inland and shoreline portions of Parcel E with the Navy.

There was discussion about the status of the ongoing California Environmental Quality Act and National Environmental Policy Act (CEQA/NEPA) document preparation. The City said the traffic analysis has been delaying the CEQA certification by about 3 to 4 months. The City will provide as much information in advance of the certification as possible. The Navy anticipates the NEPA documentation will meet the March 2010 due date. The release of the CEQA information to the public was discussed, and the Navy suggested that the group meet in advance of public meetings to share information.

### **IV. Parcel B and G Hot Spot Excavations**

Mr. Cohen said the City would prefer the Navy complete the Parcel B and G hot spot excavations. He said the City will need to explain to the public the ongoing activities, such as groundwater monitoring and cap maintenance, if the early transfer goes forward; planning for and removing hot spots would be difficult to explain to the public.

Mr. Gilkey said much money has been directed toward HPS and there are many demands to address at this time. The excavations at Parcels B and G were intended to be performed by the City in the interest of timing. If the Navy is tasked to undertake the excavations, there will be impacts to schedules not only for Parcels B and G, but for other parcels, such as the UC parcels, while Navy resources are diverted to prepare plans for and perform the excavations and reporting.

There was discussion of whether a time-critical removal action would be appropriate for removal of the hot spots. Mark Ripperda (EPA) said a remedial design would be needed because the ROD had already been drafted. Ms. Brownell said insurance carriers were reluctant to provide coverage for the excavation and removal actions. Mr. Hart asked the group if the mercury action had been closed, and if not, then the hot spot removal actions could include the closure request for the mercury issue.

#### **IV. Status of ETCA and AOC Discussions**

The City is reviewing internal comments received on the ETCA and will likely forward the next version to the Navy in early July. Bob Carr (EPA) requested the City and Navy share the next version of the ETCA with the agencies to aid in preparing the administrative order on consent (AOC) and warned the ETCA documents can delay the process. Mr. Callaway said the Navy and City would discuss their comments and then likely be willing to provide a copy to the agencies. Ms. Brownell said the regulators should be invited to the next ETCA scoping meeting. Mr. Cohen suggested scheduling separate discussions with CDPH.

The City is reviewing a draft AOC from EPA. The City's comments will likely be submitted in mid-July to EPA and the Navy.

#### **V. Status of Risk Management Plan Discussions**

The City is finalizing its review and comment on the latest version of the Risk Management Plan (RMP) and will have comments by the end of June for the Navy to review. Mr. Gilkey said some RMP language will be based on the ETCA. Ms. Brownell said the RMP is required whether the property is a regular transfer or an early transfer. Mr. Ripperda asked if the City and Navy have planned how EPA will be involved in reviewing and commenting on the RMP. Ms. Brownell said a meeting will likely occur in early July.

#### **VI. Navy Update on RAB and Community Involvement**

Mr. Gilkey said a letter requesting comments on the potential dissolution of the Restoration Advisory Board (RAB) had been mailed. The comment period will conclude at the end of June. He said nothing considered an official comment has been received to date. He said the Navy estimates a 30-day period to respond to any comments received once the comment period ends. He added he anticipated meeting with the regulators to discuss comments received and a path forward, to include community participation. Mr. Cohen said the City would be willing to provide announcements of community meetings. Mr. Gilkey said the Navy is investigating other possibilities to receive community input for ongoing environmental programs at HPS if the RAB is dissolved. He said recent community meetings focused on the NEPA process have included updates about the environmental program. Mr. Gilkey said smaller sub-community meetings were being held with a Chinese neighborhood group, the Samoan leadership group, and the African American Chamber of Commerce, and that others were planned. Mr. Ripperda said he had received requests from community members for information, and suggested the Navy schedule a technical meeting for the community at large, in addition to the small targeted NEPA meetings.



## **VII. EPA Update on Dust and Asbestos Issues**

Michael Montgomery (EPA) reported the Hunters Point community had requested air quality be monitored at two schools in the community. EPA concluded the air quality in the area is not significantly impaired and will not monitor at the schools but has partnered with the California Air Resources Board to review the data available to assess what, if any, improvements can be made to the current monitoring and dust suppression activities. Mr. Montgomery said EPA met with community members to identify concerns.

Mr. Cohen said he believes it is important for the parties to collaborate and share information. He reminded the group that the review process should focus on “good science” and any recommendations should align with all current state policies. Mr. Cohen requested the Navy and City be consulted regarding risk communication strategies.

Mr. Montgomery said EPA is reviewing the air mitigation plan Lennar supplied, along with the evaluation of data collected using California accepted methodologies. Mr. Ripperda said the EPA air group and the Navy are meeting to discuss the data available and strategies to communicate information with the community. He pointed out the methodologies for evaluating data used by the EPA and California differ. Mr. Ripperda said the stationary monitoring currently in place does not provide an accurate indication of risk to a community, but is representative of risk at that point at that time. Mr. Montgomery said EPA, the Navy, DTSC, and the Air Board needed to continue to work to resolve the dust issue.

Mr. Montgomery said the issue of naturally occurring asbestos was historically resolved on a site-by-site basis. Mr. Montgomery said he hoped discussions between DTSC and EPA could resolve the asbestos issue. Barbara Cook (DTSC) said DTSC and EPA have not resolved the issue.

## **VIII. Closing**

### **▪ REVIEW PREVIOUS ACTIONS ITEMS**

Thomas Macchiarella (Navy) presented a list of documents the Navy considered necessary for a Covenant Deferral Request package to send to the governor for review ([Attachment D](#)). Ms. Brownell said there were no other action items to discuss.

### **▪ CONFIRM NEW ACTION ITEMS**

1. Amy Brownell (SFDPH) and Ryan Miya (DTSC) to coordinate meetings with City, DTSC and CDPH to plan and prepare for the license exemption request.

2. Navy to provide input/estimate of quantity of radiological material at IR 7/18 Rad ARIC to City/CDPH for use in license exemption documentation.
3. City to coordinate drafting language for escrow instruction concerning IR 7/18 Rad ARIC and procedures, criteria, and schedule for obtaining commitment for and achievement of CDPH approval of license exemption. City to share info with Navy including Rex Callaway. Timing for license exemption will need to be discussed and agreed to by all parties including Navy and included in the schedule. One suggestion is exemption issued immediately upon approval of completion of the RACR for IR7/18.
4. Navy and SFDPH plan to meet to discuss schedules for real estate licenses/leases and easements (not a rad issue).
5. Navy and SFDPH discuss schedules for the three utility corridors (UC-1, UC-2 and UC-3) and SFDPH request to link UC-3 with UCs 1 and 2.
6. Navy to evaluate schedule impacts for preparation and execution of hot-spot removals in Parcels B and G, and provide feedback to the team.
7. EPA (Mike Montgomery) scheduled meeting for July 20, 1PM to discuss dust and asbestos issues further.
8. Various documents will be sent to/from various parties and meetings to discuss will be scheduled (e.g. ETCA language, AOC, RMP comments).

▪ **SET NEXT MEETING DATE**

The next managers' meeting was set for 1 p.m. September 15, 2009, in Sacramento. A draft agenda will be prepared and forwarded prior to the meeting.

The meeting adjourned.